

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION

William T. Watts, II,	)	
	)	
Plaintiff,	)	C/A No. 8:15-4795-TMC
	)	
vs.	)	<b>ORDER</b>
	)	
United States Department of Justice,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff William T. Watts, II, proceeding *pro se*, filed this action pursuant to the Freedom of Information Act, 5 U.S.C. § 551. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending that the action be dismissed for failure to prosecute. (ECF No. 26). Plaintiff was advised of his right to file objections to the Report. (ECF No. 26-1). However, Plaintiff has not filed any objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the record in this case, the court adopts the Report (ECF No. 26) and incorporates it herein. Accordingly, this action is **DISMISSED** with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) and the factors outlined in *Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978). Further, Defendant's motion for summary judgment (ECF No. 20) is **TERMINATED as moot**.

**IT IS SO ORDERED.**

s/Timothy M. Cain  
United States District Judge

June 10, 2016  
Anderson, South Carolina

**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.